

EXHIBIT 1

In the Matter Of:

Fair Fight vs Raffensperger

Stacey Abrams - Confidential

November 13, 2019



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ATLANTA, GA 30339

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1 processing of thousands of forms. And part of what
2 we uncovered was a blackout period in relation to
3 that process.

4 Q. Okay. And sorry. I'm not trying to be
5 dense.

6 A. Uh-huh.

7 Q. But I just want to be sure I understand.
8 The blackout period, are you -- is that
9 something you're saying that the Secretary of
10 State's office did or is that something that county
11 election officials did?

12 A. I would argue that that's a distinction
13 without difference, because the Secretary of State
14 serves as the elections superintendent for the
15 entire state. That is the person who is
16 responsible under the Constitution of Georgia for
17 the oversight and management of the entire
18 elections system.

19 And thus, when there is a failure to
20 timely process thousands of forms, it is incumbent
21 upon the Secretary of State in that role to be
22 responsible for a cure, and that cure did not
23 occur.

24 And therefore, the refusal to timely
25 process those forms ultimately falls on the head of

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1 responsible for the conduct of elections in the
2 state of Georgia. And so anytime there are
3 additional obstacles put in the place of -- in the
4 way of citizens who have a legal right to vote and
5 have done their part, then this is deeply
6 problematic.

7 Q. And you've said several times now that
8 the Secretary of State by constitution is obligated
9 to do so. I -- are you making a legal opinion at
10 that point or a legal statement as opposed to a
11 question of fact? I just want to be clear given
12 there's been an objection on the table.

13 A. I would say that, according to my reading
14 of the Constitution both as a legislator and as a
15 citizen, the Secretary of State is the only person
16 in our constitution who's given the obligation, in
17 fact, the job description of oversight of
18 elections. And so I would say it's a plain reading
19 of our constitution.

20 Q. Do you have an opinion on the State
21 Election Board in that process?

22 A. I believe the State Election Board is
23 part of the apparatus of how our elections are
24 conducted. But again, the Secretary of State sits
25 as a member of and, I think, indeed as the convenor

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1 disinvestment and incompetence had its
2 desired effect on the electoral process
3 in Georgia."

4 Do you see that?

5 A. I do.

6 Q. Is that consistent with your statement on
7 November 16?

8 A. It is.

9 Q. Okay.

10 MS. LAWRENCE-HARDY: Objection to
11 form.

12 BY MR. BELINFANTE:

13 Q. Is -- do you recall that being something
14 that was in your statement on December 16?

15 A. Yes.

16 Q. Okay. Or an accurate reflection of it, I
17 should say.

18 A. (Whereupon, there was no audible response
19 by the deponent.)

20 Q. Why did you -- why do you believe that
21 the -- what -- or what is the basis of your opinion
22 that the Secretary of State was deliberate and
23 intentional in his actions?

24 A. I think the fairest summary is that, when
25 concerns were brought to his attention, he took no

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1 action to remedy them, that when mistakes were made
2 under his auspice, he either refused to acknowledge
3 or acknowledged and refused to correct.

4 It refers to the fact that, during his
5 tenure, he made public statements that questioned
6 the legitimacy of the right to vote for certain
7 communities; that he took actions against
8 organizations that intended to expand access to the
9 right to vote;

10 And that during his tenure, his level of
11 incompetence, as manifested by a number of
12 incidences that were reported to the public,
13 demonstrate a com -- you know, a capacity that led
14 to a deliberate and intentional action.

15 Q. And what mistakes were made that were not
16 corrected?

17 A. I would argue that it is the entirety of
18 the brokenness of the Democrat -- of the process
19 for democracy in Georgia, the fact that it is not
20 possible for every Georgian who is eligible -- and
21 that includes those who have sought to register and
22 were removed from the rolls, who were prevented
23 from being able to be on the rolls, those who were
24 unable to cast a ballot because they were allocated
25 to the wrong precinct.